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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

Komatsuda et al.

**Serial No.:** 10/553,723

**Filed:** February 23, 2006

**For:** METHODS OF IDENTIFYING SPIKE MORPHOLOGY AND FUSARIUM HEAD BLIGHT RESISTANCE, AND THE USE OF THESE METHODS FOR IMPROVING BARLEY AND RELATED TRITICEAE PLANTS (AS AMENDED)

**Confirmation No.:** 6602

**Examiner:** M. Ibrahim

**Group Art Unit:** 1638

**Attorney Docket No.:** 3240-7498US

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 14, 2008  
Date

*Betty Vowles*  
Signature

Betty Vowles  
Name (Type/Print)

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is in response to the Restriction Requirement of January 14, 2008, having an initial period of response expiring on February 14, 2008.

Claims 1-39 are currently pending in the application and subject to a Restriction Requirement. The Office communication entered a four-way restriction requirement. Applicants elect the invention of Group I (claims 1, 2, 4-8, 12, 13, 16-18, 21-23, 25, 28, 31, 32, and 37-39), without traverse. All claims currently under consideration are believed to be within the elected

Group I.

The application should now be in condition for substantive examination.

If the Office should have any questions, the Examiner is kindly requested to contact Applicants' undersigned representative at the address or telephone number given herein.

Respectfully submitted,



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Date: February 14, 2008  
TH/th  
Document in ProLaw